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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

KEITH MARK DILLON

CIVIL ACTION NO. 06-1258

VERSUS

JUDGE TRIMBLE

BRAD ROGERS, ET AL.

MAGISTRATE JUDGE KIRK

ORDER

A telephone status conference was held this day which included counsel for all parties and the undersigned. Pursuant to the recent ruling by the U.S. Fifth Circuit Court of Appeals in this case,¹ it is hereby

ORDERED that the parties shall have ninety (90) days from the issuance of this order in which to conduct and complete written and oral discovery as to the issue of whether or not plaintiff exhausted available administrative remedies and, more specifically, whether or not such remedies were "available" to him upon arrival at Allen Correctional after his stay at the temporary Jena facility. It is further

ORDERED that, with respect to those witnesses who may be able to offer to testimony as to both exhaustion and the merits of plaintiff's claims, plaintiff shall be entitled to question those particular witnesses as to both exhaustion and the merits of this case during the ninety-day exhaustion discovery period. It is further

ORDERED defendants shall file answers to plaintiff's claims within ninety (90) days of the

¹R. 77.

issuance of this order. It is further

ORDERED that full discovery on the merits of plaintiff's claims shall commence ninety (90) days after the issuance of this order.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana this 14th day of April, 2010.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE